

REMARKS

The present application was filed on September 18, 2000 with claims 1-53.

In a response to a restriction requirement, Applicants argued that claims 1-53 should be examined together since various aspects of the claimed invention are associated with embodiments of information signals, e.g., speech signals, video signals, an information signal containing text-based content, an information signal containing markup language-based content, etc. However, in the outstanding Office Action, the Examiner made final the restriction requirement and examined the claims of group I (i.e., claims 1-12, 28, 30-32 and 50), which are drawn to aspects of the invention involving an information signal.

Applicants, however, point out that in summarily lumping claims 35-49 and 52 into group V as being drawn toward “a method of processing an information signal containing markup language-based content,” the Examiner included independent claims 45 and 48 which are apparatus claims having similar limitations, respectively, as independent method claims 1 and 28 of group I. Further, independent claims 45 and 48 do not expressly recite “markup language-based content.”

Thus, Applicants request reinstatement of claims 45 and 48 for at least this reason.

Further, in the outstanding Office Action, the Examiner: (i) rejected claims 30-32 and 50 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,664,227 to Mauldin et al. (hereinafter “Mauldin”); and (ii) rejected claims 1-12 and 28 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,374,225 to Hejna, Jr. (hereinafter “Hejna”).

In this response, Applicants: (i) cancel claims 13-27, 29, 33-44, 46, 47, 49 and 51-53 without prejudice; and (ii) traverse the various §102 rejections.

Regarding the §102(b) rejection of claims 30-32 and 50, Applicants respectfully assert that Mauldin fails to teach or suggest all of the limitations in claims 30-32 and 50, for at least the reasons presented below.

It is well-established law that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed.

Cir. 1987). Applicants assert that the rejection based on Mauldin does not meet this basic legal requirement, as will be explained below.

The present invention, for example, as recited in independent claim 30, recites a method of processing an information signal containing content presented in accordance with at least two modalities, the method comprising the steps of: obtaining the information signal; separating the information signal into a first signal including information in one of the two modalities and a second signal including information in the other of the two modalities; performing content detection on the first signal to detect whether the first signal includes particular content presented in accordance with the one modality; performing content detection on the second signal to detect whether the second signal includes particular content presented in accordance with the other modality; combining results associated with the content detection steps; and generating a control signal, when at least a portion of the particular content is detected in accordance with at least one of the content detection steps, for use in controlling at least one of a rendering property of the particular content and implementation of a specific action relating to the particular content. Independent claim 50 recites similar limitations.

One example of the claimed invention is described in the present specification in the context of FIG. 6. In such illustrative embodiment, data associated with one modality may be video data and data associated with the other modality may be audio data.

Mauldin discloses a system for skimming digital audio/video data. More particularly, Mauldin discloses processing techniques for generating a skim output. In the context of audio data, Mauldin discloses generating the audio portion of the skim output by use of audio transcription and natural language processing techniques (column 7, lines 24-36). In the context of video data, Mauldin discloses generating the video portion of the skim output by use of video digitization and video segmentation techniques (column 5, lines 16-45). The video segmentation technique disclosed is a content-based video paragraphing method.

However, illustratively assuming for the sake of argument that data associated with one modality in the claimed invention is video data, Mauldin does not “perform content detection on the second signal [e.g., video signal] to detect whether the second signal [video signal] includes

particular content presented in accordance with the other modality.” Video segmentation employing content-based video paragraphing is a way to index video content, not a way to perform content detection, as required by the claimed invention.

Furthermore, Mauldin does not “combine results associated with the content detection steps,” as required by the claimed invention, since Mauldin does not perform content detection on the video data.

Still further, Mauldin does not “generate a control signal, when at least a portion of the particular content is detected in accordance with at least one of the content detection steps, for use in controlling at least one of a rendering property of the particular content and implementation of a specific action relating to the particular content,” as required by the claimed invention. The Office Action cites column 8, lines 32-34 and lines 49-58, of Mauldin; however, this portion of Mauldin discloses a user-selected playback rate and skimming by content. However, no where does Mauldin disclose “generating a control signal, when at least a portion of the particular content is detected in accordance with at least one of the content detection steps, for use in controlling at least one of a rendering property of the particular content,” as in the claimed invention. Also, Mauldin is silent with respect to the limitation of “generating a control signal, when at least a portion of the particular content is detected in accordance with at least one of the content detection steps, for use in controlling . . . implementation of a specific action relating to the particular content,” as required by the claimed invention.

Regarding claim 32, which recites “wherein the content detection step performed on the video signal is optical character recognition (OCR). . . ,” Applicants find no disclosure of OCR in Mauldin. While column 5, lines 26-30, is cited by the Examiner, there is no mention of OCR there or anywhere in Mauldin.

For at least the above reasons, Applicants assert that claims 30-32 and 50 are patentable over Mauldin.

Regarding the §102(e) rejection of claims 1-12 and 28, Applicants respectfully assert that Hejna fails to teach or suggest all of the limitations in claims 30-32 and 50, as required by *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

That is, Applicants assert that the rejection based on Hejna does not meet this basic legal requirement, as will be explained below.

The present invention, for example, as recited in independent claim 1, recites a method of processing an information signal containing content presented in accordance with at least one modality, the method comprising the steps of: obtaining the information signal; performing content detection on the information signal to detect whether the information signal includes particular content presented in accordance with the at least one modality; and generating a control signal, when the particular content is detected, for use in controlling at least one of a rendering property of the particular content and implementation of a specific action relating to the particular content.

Hejna discloses a method for preparing listener-interest-filtered works. However, as made clear at column 17, lines 16-31, determination of time scale modification or playback rate clearly depends on user input. This is not the case with respect to the claimed invention. Also, Hejna does not disclose “generating a control signal, when the particular content is detected, for use in controlling . . . implementation of a specific action relating to the particular content.” No where is this addressed by Hejna, nor in the Office Action.

Dependent claims 2-12 recite patentable subject matter in their own right.

For at least the above reasons, Applicants assert that claims 1-12 are patentable over Hejna.

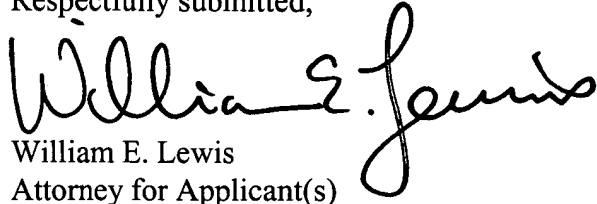
Regarding claim 28, despite the contention in the Office Action, column 13, lines 5-15, and column 18, lines 10-23, of Hejna do not disclose “performing content detection on the at least a portion of the information signal to detect whether the marked portion of the information signal includes desired content presented in accordance with the at least one modality; and at least one of storing and utilizing the desired content in a subsequent application when detected in the information signal,” as required by the claimed invention.

For at least the above reasons, Applicants assert that claim 28 is patentable over Hejna.

Since independent claims 45 and 48 recite similar limitations as independent claims 1 and 28 respectively, Applicants assert that claims 45 and 48 are also patentable over Hejna.

In view of the above, Applicants believe that claims 1-12, 28, 30-32, 45, 48 and 50 are in condition for allowance, and respectfully request withdrawal of the §102(b) and §102(e) rejections.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William E. Lewis". The signature is fluid and cursive, with the first name "William" being the most prominent part.

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